

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAMUEL S. MEEKER, *et al.*,
Plaintiffs,

:

CIVIL ACTION

v.

FILED

APR 10 2018

WARDEN TODD BUSKIRK, *et al.*, By KATE BARKMAN, Clerk NO. 18-1371
Defendants. Dep. Clerk

ORDER

AND NOW, this 6th day of April, 2018, upon consideration of Mr. Meeker and Mr. Everett's Motions to Proceed *In Forma Pauperis* and their *pro se* Complaint, it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff Samuel S. Meeker, #26020, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Mr. Meeker, he is not assessed an initial partial filing fee. In each month when the amount in Mr. Meeker's inmate trust fund account exceeds \$10.00, the Warden of the Northampton County Jail or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to plaintiff's inmate trust fund account until the fees are paid. Each payment shall reference the docket number for this case, Civil Action No. 18-1371.
3. Plaintiff Dylan Everett, 2317-4033, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Mr. Samuels, an initial partial filing fee of \$5.32 is assessed. The Warden or other appropriate official at the Northampton County Jail or at any other prison at which Mr. Everett may be incarcerated is directed to deduct \$5.32 from Mr. Everett's inmate trust fund account, when such

funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-1371. After the initial partial filing fee is collected and until the full filing fee is paid, the Warden or other appropriate official at the Northampton County Jail or at any other prison at which Mr. Everett may be incarcerated, shall deduct from Mr. Everett's account, each time that Mr. Everett's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 18-1371.

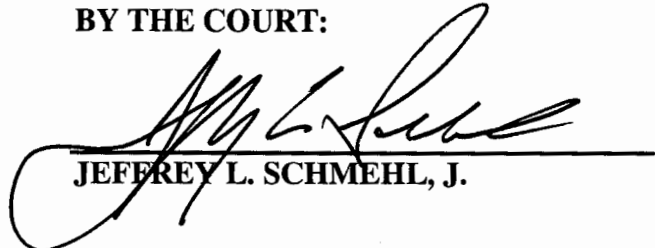
4. The Clerk of Court is directed to send a copy of this Order to the Warden of the Northampton County Jail.

5. The Complaint is DISMISSED without prejudice for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum

6. Mr. Meeker and Mr. Everett are given leave to file an amended complaint within thirty (30) days of the date of this Order. If they file an amended complaint, they shall name all defendants in the caption of the amended complaint in addition to the body of the amended complaint and state how each defendant was involved in the violations of his rights. Upon the filing of an amendment, the Clerk of Court shall not make service until so ORDERED.

7. If Plaintiffs do not file an amended complaint, their case may be dismissed without prejudice without further notice.

BY THE COURT:



JEFFREY L. SCHMEHL, J.